

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

OFFICE DEPOT, INC. and OCS
ACQUISITION CORP.,

Plaintiffs,

vs.

ROGER POST,

Defendant.

Index No. 07 CV 2871 (DLC)

**MOTION TO ADMIT
COUNSEL *PRO HAC*
*VICE***

ROGER POST and W.B. MASON
COMPANY, INC.,

Counterclaim Plaintiffs,

vs.

OFFICE DEPOT, INC. and OCS
ACQUISITION CORP.,

Counterclaim Defendants.

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Matthew T. McLaughlin, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of

Applicant's Name: Stephen W. Rider

Firm Name: Law Offices of Stephen W. Rider, P.C.

Address: 350 Lincoln Place, Suite 2400

City/State/Zip: Hingham, MA 02043

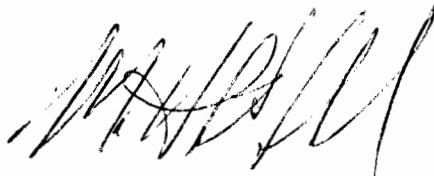
Phone Number: (781) 740-1289

Fax Number: (781) 207-9160

Stephen W. Rider is a member in good standing of the Bar of the Commonwealth of Massachusetts. There are no pending disciplinary proceedings against Stephen W. Rider in any State or Federal Court.

Dated: June 13, 2007
Boston, Massachusetts

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. T. McLaughlin', written in a cursive style.

Matthew T. McLaughlin (MM-7462)
Nixon Peabody LLP
100 Summer Street
Boston, MA 02110
T: (617) 345-1000
F: (617) 345-1300

TO: S. Robert Scrager, Esq.
Hodgson Russ LLP
60 East 42nd Street, 37th Floor
New York, NY 10165

John E. Joiner, Esq.
Luba Shur, Esq.
Williams & Connolly LLP
725 12th Street, NW
Washington, DC 20005

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

OFFICE DEPOT, INC. and OCS
ACQUISITION CORP.,

Plaintiffs,

vs.

ROGER POST,

Defendant.

Index No. 07 CV 2871 (DLC)

**AFFIRMATION OF
MATTHEW T.
MCLAUGHLIN IN
SUPPORT OF MOTION
TO ADMIT COUNSEL
*PRO HAC VICE***

ROGER POST and W.B. MASON
COMPANY, INC.,

Counterclaim Plaintiffs,

vs.

OFFICE DEPOT, INC. and OCS
ACQUISITION CORP.,

Counterclaim Defendants.

MATTHEW T. MCLAUGHLIN, an attorney at law, duly admitted to practice before this Court, affirms the following under penalty of perjury:

1. I am an attorney with the law firm Nixon Peabody LLP, counsel for Defendant and Counterclaim Plaintiffs in the above captioned case, and as such I am familiar with the facts and circumstances in this case.

2. I submit this affirmation in support of Defendant and Counterclaim Plaintiffs' motion to admit Stephen W. Rider as counsel *pro hac vice*.

3. Stephen W. Rider is the principal of the Law Offices of Stephen W. Rider, P.C. in Hingham, Massachusetts. Mr. Rider is a qualified attorney and a person of integrity. He is in good standing of the Bar of the Commonwealth of Massachusetts, as set forth in his certificate of good standing attached hereto as Exhibit A. Mr. Rider is also a member in good standing of the United States District Court for the District of Massachusetts and the First Circuit Court of Appeals.

4. Mr. Rider is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure, the Local Rules of the United States District Court for the Southern and Eastern Districts of New York, and the Federal Rules of Evidence.

5. Accordingly, I am pleased to move the admission of Stephen W. Rider, *pro hac vice*.

6. I respectfully submit a proposed order granting the admission of Stephen W. Rider, *pro hac vice*, which is attached hereto as Exhibit B.

WHEREFORE, it is respectfully requested that the motion to admit Stephen W. Rider, *pro hac vice*, to represent Defendant and Counterclaim Plaintiffs in the above captioned matter, be granted.

Dated: June 13, 2007
Boston, Massachusetts

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Matt McLaughlin', written in a cursive style.

Matthew T. McLaughlin (MM-7462)

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on the **twentieth** day of **December** A.D. **1979**, said Court being the highest Court of Record in said Commonwealth:

Stephen Rider

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court*.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court, this **thirty-first** day of **May** in the year of our Lord **two thousand and seven**.




MAURA S. DOYLE, Clerk

* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

OFFICE DEPOT, INC. and OCS
ACQUISITION CORP.,

Plaintiffs,

vs.

ROGER POST,

Defendant.

Index No. 07 CV 2871 (DLC)

**ORDER FOR ADMISSION
PRO HAC VICE
ON WRITTEN MOTION**

ROGER POST and W.B. MASON
COMPANY, INC.,

Counterclaim Plaintiffs,

vs.

OFFICE DEPOT, INC. and OCS
ACQUISITION CORP.,

Counterclaim Defendants.

Upon the motion of Matthew T. McLaughlin, attorney for Defendant and Counterclaim Plaintiff Roger Post and Counterclaim Plaintiff W.B. Mason Company, Inc., and said sponsor attorney's affirmation in support:

IT IS HEREBY ORDERED that

Applicant's Name: Stephen W. Rider
Firm Name: Law Offices of Stephen W. Rider, P.C.
Address: 350 Lincoln Place, Suite 2400
City/State/Zip: Hingham, MA 02043
Phone Number: (781) 740-1289
Fax Number: (781) 207-9160
Email Address: stephen.rider@swrpc.com

is admitted to practice pro hac vice as counsel for Defendant and Counterclaim Plaintiff Roger Post and Counterclaim Plaintiff W.B. Mason Company, Inc. in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice admission fee to the Clerk of Court.

Dated:
New York, New York

United States District/Magistrate Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
:
OFFICE DEPOT, INC. and OCS
ACQUISITION CORP.,
:
Plaintiffs,
vs.
:
ROGER POST,
Defendant.
:
-----X

Civil Action No.
07 CV 2871 (DLC)

AFFIDAVIT OF SERVICE

ROGER POST and W.B. MASON
COMPANY, INC.,
:
Counterclaim-Plaintiffs,
vs.
OFFICE DEPOT, INC. and OCS
ACQUISITION CORP.,
:
Counterclaim-Defendants.
:
-----X

State of New York)
) ss.:
County of New York)

JOHN PASTERICK, being duly sworn, deposes and says:

1. I am not a party to this action and I am over 21 years of age.
2. I am employed by the law firm of Nixon Peabody LLP, 437 Madison Avenue, New York, New York 10022, attorneys for the Defendant and Counterclaim-Plaintiffs in the above captioned proceeding.
3. On June 13, 2007 I served true copies of the annexed Motion To Admit Counsel (Stephen W. Rider) *Pro Hac Vice* by depositing said copies in a postage-paid, sealed envelope in

a depository under the exclusive care and custody of the United States Postal Service within the City and State of New York addressed to the following attorneys for Plaintiffs and Counter-Claim Defendants:

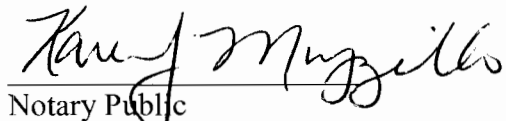
S. Robert Scrager, Esq.
HODGSON RUSS LLP
60 East 42nd Street
37th Floor
New York, New York 10022

John E. Joiner, Esq.
Luba Shur, Esq.
WILLIAMS & CONNOLLY LLP
725 12th Street, NW
Washington D.C. 20005



JOHN PASTERICK

Sworn to before me this
13th day of June, 2007



Notary Public
KAREN J. MUZZILLO
Notary Public, State of New York
No. 03-4758972
Qualified in Bronx County
Certificate Filed in New York County
Commission Expires August 31, 2010

GLICKMAN & HUGHES, L.L.P.
909 Fannin, Suite 3800
Houston, Texas 77010
(713) 658-1122
Julius Glickman
(Texas State Bar No. 080300000)
Ashton Bachynsky
(Texas State Bar No. 24001673)

Attorneys for Plaintiff
Robert P. "Skip" Cummins

SNITOW KANFER
HOLTZER & MILLUS, LLP
575 Lexington Avenue, 14th Floor
New York, New York 10022
(212) 317-8500
Alan Heblack (AH 1219)

Attorneys for Plaintiff
Robert P. "Skip" Cummins

THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

-----X
ROBERT P. "SKIP" CUMMINS,

Plaintiff,

- against -

SUNTRUST CAPITAL MARKETS, INC.,
AMIT HAZAN, AND JONATHAN BLOCK,

Defendants.
-----X

: Case No. 07 CV 4633
: (JGK) (JCF)

: **ORDER OF ADMISSION**
: ***PRO HAC VICE***

:
:

Upon the Affidavit of Alan Heblack, Esq., sworn to on June 8, 2007; the Affidavit of Ashton C. Bachynsky, Esq., dated May 30, 2007, the accompanying certificates of the U.S. District Court for the Southern District of Texas and the Chief Disciplinary Counsel of the State of Texas and the Notice of Motion For Admission *Pro Hac Vice* submitted by the plaintiff, it is hereby

ORDERED that Ashton Bachynsky, Esq. is admitted to the Court to appear in this action *pro hac vice* on behalf of plaintiff Robert P. "Skip" Cummins.

Dated: New York, New York
June , 2007

John G. Koeltl, U.S.D.J.